

SPECIAL CITY COUNCIL MEETING
December 16, 1996

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Dale Roper	Council Member
Glen Swalberg	Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Greg Schafer	City Employee

Mayor Dafoe called the meeting to order at 7:00 p.m. and noted that this is a Special Meeting rather than a Regular Meeting, as was stated on the Notice and Agenda. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, the local radio station, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Robert Droubay offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed Amended Minutes of a Regular City Council Meeting held October 28, 1996 were presented for consideration and approval. The Council reviewed the minutes briefly. Following review, Council Member Glen Swalberg MOVED to approve the Amended Minutes of the Regular City Council Meeting held October 28, 1996. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held November 25, 1996 were presented for consideration and approval. The Council reviewed the minutes briefly. Following discussion, Council Member Robert Droubay MOVED to approve the minutes of the Regular City Council Meeting held November 25, 1996, as presented. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Dale Roper MOVED that the accounts payable be approved as listed in the amount of \$16,448.38. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

CITY ATTORNEY RICHARD WADDINGHAM: AMENDMENT TO BUSINESS LICENSE ORDINANCE.

The Amendment to Business License Ordinance is not ready, therefore, no Council actions was taken.

NEW BUSINESS

PUBLIC WORKS DIRECTOR NEIL FORSTER: UPDATED OFFICIAL DELTA CITY ZONING MAP.

Public Works Director Neil Forster showed the Council Members the new, updated Official Delta City Zoning Map. The map needs to be approved by the Council, then signed by the Mayor and City Recorder. The colored map will be displayed in the Conference Room in the City Building. Following discussion, Council Member Gayle Bunker MOVED to adopt the December, 1996 updated map as the Official Delta City Zoning Map. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: VISION DEVELOPMENT - PARTIAL RELEASE OF TRUST DEED.

City Attorney Richard Waddingham advised the Council that Andy Thompson, owner of Vision Development, has requested that we release Lot #2 rather than Lot #1. The Mayor has signed a

revised Request for Partial Reconveyance for Lots #2 & 5 and the matter is being brought back before the Council for approval.

Following discussion, Council Member Dale Roper MOVED to approve signing the Deed of Partial Reconveyance exchanging Lot #2 for Lot #1, Vision Development Phase I; i.e., reconveying Lots #2 & 5. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

City Attorney Richard Waddingham advised the Council that he had contacted County Attorney LeRay Jackson regarding the Hollingshead annexation, inasmuch as Millard County is an affected entity and has a right to protest the annexation. Attorney Waddingham discussed the matter with Attorney Jackson who has written a letter, signed by the County Commission, waiving the right to protest the annexation. The letter stipulates that the City take the county road in as part of the annexation. Mayor Dafoe stated that he had talked with Attorney Jackson and advised him that the City wanted to annex the street because there is a water line in the street which the City would like to upgrade from a two inch to a six inch water line. The Council requested that Attorney Waddingham prepare a deed for the street and have it signed by the County Commission.

Council Member Glen Swalberg reported that he has talked with Howard Clayton regarding the steam tractor owned by him and others. Mr. Clayton advised Council Member Swalberg that the owners have determined that they would like to keep the steam tractor in Delta. The owners have \$20,000 invested in the tractor and they would like to have it displayed in the park but they want to be certain that it can be protected from the weather. The tractor has a long history and the owners would be willing to make plaques and assist in providing the history. Unless it can be protected from the weather, they would rather not own the tractor and would be willing to sell it to the City for \$15,000. The Council felt that the City would not be interested in purchase of the tractor. The Council discussed several options as to protection and display of the tractor.


Council Member Glen Swalberg reported that Bruce Hall was contacted regarding the property south of Master Muffler, which Dan Bringard wanted to purchase and construct a building for his business. Bruce Hall contacted people to check the property, they came to Delta, checked the property and gave Dan a clean report. The building is under construction and Dan expressed his gratitude to the City for assisting him in getting the property examined.

Council Member Glen Swalberg advised the Council that several residents have contacted him regarding traffic problems on Topaz Blvd. where it passed the area of Plaza Shears, KNAK, etc. He observed that vehicles are parked on the south side of the street and it is not possible to drive on the south side of the yellow line dividing the lanes. On the north side of the street, near the condominium units, there are places where the asphalt is eight inches above the ground next to it. Council Member Swalberg felt that either the street needs to be wider or parking needs to be restricted on the street. Mayor Dafoe reminded the Council that creating a "No Parking" zone must be done by Ordinance. Attorney Waddingham added that he believes that a public hearing is also necessary. In the interim, Public Works Director Forster will look at the area and see what can be done.

Council Member Gayle Bunker reported to the Council that his brother, Clyde, has talked with the County Commissioners and has been informed that the County is receiving approximately \$1 million in C.U.P. money. The County wants to set up a revolving loan fund with the money, but have not determined what the purpose would be. Clyde felt that the cities should receive that money on a proportionate basis, and that the Mayors and Councils should petition the County Commission to have the money distributed to the cities for use with water and sewer projects. Attorney Richard Waddingham advised the Council that it would be a good idea for them to pursue the matter. Council Member Swalberg asked Mayor Dafoe to attempt to set up a meeting of mayors to discuss the matter. Mayor Dafoe suggested that the Council get on the County Commission Agenda for the purpose of requesting a portion of the money to retire our water bond. The Council requested that Mayor Dafoe contact Mayor Gillins of Fillmore, to request his cooperation, and attempt to get on the agenda for the next County Commission meeting.

Public Works Director Neil Forster approached the Council for their feelings about the possibility of a potato processing plant in the area. The person looking at property to purchase asked Mr. Forster what the City would feel about his purchasing property and constructing a small, lagoon-type waste treatment to handle some of the waste. He would be approximately ½ mile away from an existing sewer line. Our Ordinance states that, if you are more than 300 feet from a sewer line, you can construct your own septic system. The building would be inside the city limits, but the treatment would be outside the city limits. Council Member Dekker felt that if it were going to be a problem, maybe we do not want the business in town. Council Members had several questions regarding volume, impact, nuisance, etc. Following lengthy discussion, Council Member Glen Swalberg suggested that we gather additional information and facts prior to making any decision.

Mayor Dafoe asked if there were any comments, questions, or items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:05 pm.


DON DAFOE, Mayor


DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 01-13-97